



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,596	09/29/2004	Mie Yoshimura	Q83591	8356
23373	7590	10/01/2007	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			PIZIALLI, ANDREW T	
ART UNIT		PAPER NUMBER		
1771				
MAIL DATE		DELIVERY MODE		
10/01/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10509596	9/29/04	YOSHIMURA ET AL.	Q83591

EXAMINER

Andrew T. Piziali

ART UNIT	PAPER
----------	-------

1771 20070928

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Newly amended claims 1 and 3-10 are directed to a species that is independent or distinct from the species originally elected for the following reason: The applicant elected (see response filed 10/28/2005) claims drawn to an identification marker wherein the optical interference fiber is used to construct a nonwoven fabric (random fiber alignment, see current specification page 21, line 4 to page 24, line 6). The current claims are drawn to an identification marker wherein the optical interference fiber is used to construct parallel aligned fibers. It is noted that the examiner specifically reminded the applicant that Species 1 from Species Group II was elected (see page 8 of the non-final rejection mailed on 3/23/2007).

Accordingly, claims 1 and 3-10 are withdrawn from consideration as being directed to a non-elected species. See 37 CFR 1.142(b) and MPEP § 821.03. The amendment filed on 7/23/2007 presenting only claims drawn to a non-elected invention and/or species is non-responsive (MPEP § 821.03).

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

/Andrew T Piziali/
Primary Examiner, Art Unit 1771